IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 779 OF 2006

Ashok V. Goswami & another ... Petitioners

V/s.

Municipal Corp. of Gr. Mumbai and ors. ... Respondents

Mr. Ranjit A. Thorat with Mr. P.J. Thorat for petitioner.
Mr. Preeti Purandare for respondent No. 1.

CORAM : F.I. REBELLO &
ANOOP V. MOHTA,JJ.
DATED : 10th November, 2006

P.C.

. Rule. Heard forthwith.

2. It is case of the petitioners that mezzanine floor exists prior to 1997. The record indicates that the respondents have served notice under Section 354 of the B.M.C. Act against petitioner for doing illegal construction.

3. Without going into the aspect and considering the contentions, it will be open to the petitioners, within eight weeks from today to apply to the Executive Engineer (Building Proposal - Western Suburb) for regularisation of whatever they are claiming to be regularised (mezzanine floor). On such

application is made, supported by documentary evidence, the Executive Engineer, if petitioners seek hearing, to hear the petitioners and thereafter dispose of the application at any rate not later than eight weeks from the date of submission of the proposal for regularisation.

4. Rule made absolute accordingly. No order as to costs.

5. Pending the disposal of the application, the respondents not to take any steps to demolish the structure.

[F.I. REBELLO, J.]

[ANOOP V. MOHTA, J.]